

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA**

PERDUE FARMS INC.,

Plaintiff,

v.

JULIE SU, in her official capacity as Acting  
Secretary of the United States Department of  
Labor, *et al.*,

Defendants.

Civil Action No. 5:24-cv-00594-BO

**ORDER SETTING A BRIEFING SCHEDULE ON DISPOSITIVE MOTIONS**

This matter is before the Court upon the parties' Joint Motion for Entry of an Order Setting a Briefing Schedule on Dispositive Motions.


It is therefore ordered that:

1. The Court adopts the following briefing schedule with respect to the filing of dispositive motions as proposed by the parties:
  - a. Plaintiff files a motion for summary judgment within 45 days of the Court's issuance of a decision on Plaintiff's Motion for Preliminary Injunction, not to exceed 40 pages.
  - b. Defendant Howell files a combined motion to dismiss (or in the alternative, motion for summary judgment) and response to Plaintiff's motion for summary judgment within 21 days of the filing of Plaintiff's motion for summary judgment, not to exceed 30 pages.
  - c. Government Defendants file a combined motion to dismiss (or in the alternative, motion for summary judgment) and response to Plaintiff's motion for summary

judgment within 21 days of the filing of Plaintiff's motion for summary judgment, not to exceed 30 pages.

- d. Plaintiff files (1) combined response and reply brief to Howell's combined motion for summary judgment/response and (2) combined response to Government Defendants' combined motion to dismiss (or in the alternative, motion for summary judgment)/response within 21 days of the filings by Defendant Howell and the Government Defendants pursuant to Paragraphs 3(b) and 3(c), each not to exceed 30 pages. Plaintiff may also have the option to file one combined response and reply addressing both Defendant Howell's motion to dismiss (or in the alternative for summary judgment)/response and the Government Defendants' motion to dismiss (or in the alternative, motion for summary judgment)/response in which case Plaintiff's combined response and reply shall not exceed 50 pages.
- e. Defendant Howell and Government Defendants each file a reply brief in further support of their motions 14 days thereafter, each not to exceed 20 pages;
- f. Government Defendants' and Defendant Howell's deadlines to respond to Plaintiff's Complaint with an Answer, should one be required, is extended during the pendency of the parties' anticipated cross-motions for dispositive relief.
- g. The foregoing schedule would not preclude any party from filing a motion for dispositive relief in advance of the Court's ruling on Plaintiff's Motion for Preliminary Injunction in which case the Federal Rules of Civil Procedure and the Local Rules regarding timing and page limitations shall govern that briefing unless the Parties agree otherwise and the Court so approves.

SO ORDERED THIS 28 DAY OF January, 2025.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE